

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application No.:

10/723,707

Confirmation No.: Unknown

Filing Date:

November 26, 2003

Inventors:

Robert E. Rodgers, Jr.

Title:

A VARIABLE PATH

EXERCISE APPARATUS

Examiner:

Unknown

Art Unit: Atty. Dkt. No.: Unknown 5787-00906

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

DATE OF DEPOSIT:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to:

Commissioner for Patents P.O. Box 1450

Alexandria, VA 2231

PRELIMINARY AMENDMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Please amend the above-captioned application as follows:

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.

Remarks begin on page 7 of this paper.

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FEE AUTHORIZATION

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

The Commissioner is hereby authorized to charge the following fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5787-00906:

\$117.00 - excess claims fee

Total Amount: \$117.00

Attorney Docket No.: <u>5787-00906</u>

The Commissioner is also authorized to charge any extension fee or other fees which may be necessary to the same account number.

Respectfully submitted,

Gareth M. Sampson Reg. No. 52,191

Agent for Applicant

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C. P.O. BOX 398 AUSTIN, TX 78767-0398 (512) 853-8800 (voice) (512) 853-8801 (facsimile)

Date: 11-13